## **REMARKS/ARGUMENTS**

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-29 are pending in this application. No claims are added, amended or canceled by this letter.

Applicants and Applicants representative gratefully acknowledge the courtesy of a phone conversation with Examiner Lee on March 30, 2007. During the conversation, Examiner Lee indicated that U.S. Patent Application 10/721,414 is in condition for allowance.

Further, the Examiner asserted that a terminal disclaimer should be filed in the present application to avoid a provisional double-patenting rejection with respect to claims in U.S. Patent Application 10/721,414. Accordingly, such a terminal disclaimer is filed herewith.

The filing of a terminal disclaimer to obviate a rejection based on non-statutory double patenting is not an admission of the propriety of the rejection. The "filing of a terminal disclaimer simply serves the statutory function of removing the rejection of double patenting, and raises neither a presumption nor estoppel on the merits of the rejection." *Quad Environmental Technologies Corp. v. Union Sanitary District*, 946 F.2d 870, 20 USPQ2d 1392 (Fed. Cir. 1991). Accordingly, Applicants' filing of the attached disclaimer is provided for facilitating a timely resolution to prosecution only, and should not be interpreted as an admission as to the merits of the obviated rejection.

Accordingly, it is respectfully requested this application pass to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,

MAIER & NEUSTADT, P.C.

 $\begin{array}{c} \text{Customer Number} \\ 22850 \end{array}$ 

Tel: (703) 413-3000 Fax: (703) 413 -2220 (OSMMN 06/04) Bradley D. Lytle Attorney of Record Registration No. 40,073

Zachary S. Stern Registration No. 54,719

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